

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

District of Oregon

Raymond Ball, an individual, and Joseph Toth, an individual,

*Plaintiff(s)*

v.

Matthew Carson, and individual,

FOR OTHER PARTIES SEE ATTACHED LIST

*Defendant(s)*

Civil Action No. 3:19-CV-00242-HZ

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Columbia Gorge Data Center, LLC  
Terrence Thurber, Registered Agent  
3600 Crates Way, Suite 300  
The Dalles, OR 97058

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel C. Peterson  
Cosgrave Vergeer Kester  
900 SW Fifth Avenue, 24th Floor  
Portland, OR 97204

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. 3:19-CV-00242-HZ

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

Daniel C. Peterson, OSB No. 064664  
e-mail: dpeterson@cosgravelaw.com  
Amber A. Beyer, OSB No. 173045  
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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

RAYMOND BALL, an individual, and JOSEPH  
TOTH, an individual,

Plaintiffs,

v.

MATTHEW CARSON, an individual,  
WILLIAM CARSON, an individual,  
TERRANCE THURBER, an individual,  
THOMAS THURBER, an individual, DG  
ROLLINS MINING, LLC, a Wyoming limited  
liability company, COLUMBIA GORGE DATA  
CENTER, LLC, a Nevada limited liability  
company, WHC & SWC INVESTMENTS, LTD,  
a Texas limited partnership, INTELLIGENT  
INVESTMENTS, LLC, a Texas limited liability  
company, and SNICKERS #1, LLC, a Texas  
limited liability company,

Defendants.

Case No. 3:19-cv-00242-HZ